

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

EDDYSTONE RAIL COMPANY, LLC	)	
	)	
Plaintiff,	)	Civil Action No. 17-cv-00495
	)	
v.	)	
	)	
BRIDGER LOGISTICS, LLC, JULIO RIOS,	)	
JEREMY GAMBOA, FERRELLGAS	)	
PARTNERS, L.P., FERRELLGAS L.P.,	)	PUBLIC VERSION
BRIDGER ADMINISTRATIVE SERVICES	)	
II, LLC, BRIDGER MARINE, LLC,	)	
BRIDGER RAIL SHIPPING, LLC,	)	
BRIDGER REAL PROPERTY, LLC,	)	
BRIDGER STORAGE, LLC, BRIDGER	)	
SWAN RANCH, LLC, BRIDGER	)	
TERMINALS, LLC, BRIDGER	)	
TRANSPORTATION, LLC, BRIDGER	)	
ENERGY, LLC, BRIDGER LEASING, LLC,	)	
BRIDGER LAKE, LLC, J.J. LIBERTY, LLC,	)	
J.J. ADDISON PARTNERS, LLC,	)	

**Defendants.**

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**DECLARATION OF NICHOLAS PETTS IN SUPPORT OF PLAINTIFF EDDYSTONE  
RAIL COMPANY'S CRIME-FRAUD EXCEPTION MOTION**

I, Nicholas Petts, hereby declare as follows:

1. I am an attorney at the law firm of Steptoe & Johnson LLP, counsel for Plaintiff Eddystone Rail Company ("Eddystone") in the above-captioned action.
2. Attached hereto are true and correct copies of the following exhibits, which are submitted with Plaintiff Eddystone's Motion to Compel Production of Withheld Documents under the Crime-Fraud Exception.

Exhibit 1: Bridger Income Statement, December 31, 2012.

Exhibit 2: Bridger Consolidating Statement of Operations, December 31, 2014.

Exhibit 3: Berthold Rail Loading Agreement, by and between Bridger Transfer Services, LLC (“BTS”) and Enbridge Rail (North Dakota) LP, dated May 8, 2012.

Exhibit 4: Crude Oil Services Agreement, by and between BTS and Dakota Petroleum Transportation Solutions, LLC, dated March 28, 2014.

Exhibit 5: Rail Terminal Services Agreement, by and between BTS and Van Hook Crude Terminal LLC, dated March 25, 2015.

Exhibit 6: Bridger Value Chain Presentation.

Exhibit 7: Email from T. Dowd to J. Huneryager, July 6, 2015.

Exhibit 8: Throughput Agreement, by and between BTS and Shell Trading (US) Company, dated May 16, 2014.

Exhibit 9: Amended and Restated Crude Oil Supply Agreement, by and between Bridger Marketing, LLC and Monroe Energy, LLC, dated May 26, 2015.

Exhibit 10: Transportation and Logistics Services Agreement, by and between Bridger Logistics, LLC and Monroe Energy, LLC, dated May 26, 2015.

Exhibit 11: Transportation and Logistics Agreement, by and between Bridger Marketing, LLC and Bridger Logistics, LLC, dated June 24, 2015.

Exhibit 12: Email and attachment from L. Kuperman to K. Tieu et al., June 22, 2015.

Exhibit 13: Bridger Company Overview, September 2015.

Exhibit 14: Email from M. Farmer to J. Tibbets et al. with Bridger Operations Summary, October 1, 2015.

Exhibit 15: Email from counsel for Ferrellgas to counsel for Eddystone, September 2, 2016.

Exhibit 16: Email from J. Tibbets to M. Farmer, November 3, 2015.

Exhibit 17: Email from J. Gamboa to T. Soiefer, December 8, 2015.

Exhibit 18: Email from counsel for Ferrellgas to counsel for Jamex, January 7, 2016.

Exhibit 19: Grantor Accession Agreement, by and between Bank of America, N.A. and BTS et al., dated January 14, 2016.

Exhibit 20: Email from counsel for Ferrellgas to counsel for Jamex, February 3, 2016.

Exhibit 21: Assignment and Assumption Agreement, by and between BTS and Bridger Swan Ranch, LLC, dated January 31, 2016.

Exhibit 22: General Warranty Deed from BTS to Bridger Real Property, LLC, dated January 31, 2016.

Exhibit 23: Assignment and Assumption Agreement, by and between BTS and Bridger Terminals, LLC, dated January 31, 2016.

Exhibit 24: Email from counsel for Bridger Logistics to K. Simmons, February 9, 2016.

Exhibit 25: Email from counsel for Ferrellgas to counsel for Jamex, February 6, 2016.

Exhibit 26: Email from counsel for Ferrellgas to counsel for Jamex, February 17, 2016.

Exhibit 27: Terminal Logistics Services Agreement, by and between BTS and Bridger Terminals, LLC, dated February 22, 2016.

Exhibit 28: Purchase and Sale Agreement, by and between Bridger Logistics, LLC and Jamex Transfer Holdings, LLC, dated February 22, 2016.

Exhibit 29: Email from M. Farmer to K. Hudson, October 2, 2017.

Exhibit 30: Rios and Gamboa's Privilege Log.

Exhibit 31: Excerpts from Ferrellgas and Bridger Logistics' Privilege Log.

Exhibit 32: Email from counsel for Rios to counsel for Eddystone, September 18, 2018.

Exhibit 33: Email from V. Jilla to J. Ballengee, December 12, 2015.

Exhibit 34: Email from T. Soiefer to J. Rios and J. Gamboa, September 22, 2018.

I declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated October 12, 2018

/s/ Nicholas Petts  
Nicholas Petts

**EXHIBIT 1**  
**(Filed under Seal)**

**EXHIBIT 2**  
**(Filed under Seal)**

**EXHIBIT 3**  
**(Filed under Seal)**

**EXHIBIT 4**  
**(Filed under Seal)**

**EXHIBIT 5**  
**(Filed under Seal)**

EXHIBIT 6  
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**EXHIBIT 33**  
**(Filed under Seal)**

**EXHIBIT 33**  
**(Filed Under Seal)**

**EXHIBIT 34**  
**(Filed under Seal)**